

Practitioner's Docket: 2002DE005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas MARTINI, et al.

Serial No.: 10/524,931

Group Art Unit: 1794

Filed: February 16, 2006

Examiner: Piziali, A.T.

For: Method For Brightening Synthetic Fibers and Plastics With Granulated Optical Brighteners

PATENT
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RESPONSE TO RESTRICTION REQUIREMENTMail Stop:
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed November 1, 2007, please enter the following election.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a) and 1.10

I hereby certify that this correspondence is, on the date shown below, is being transmitted by facsimile to **Centralized Facsimile Number**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Fax No. 571-272-8300 (3 pages)

Vicki L. Sgro: 

Date: December 3, 2007

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Election/Restriction

The Office has entered a restriction requirement in accordance with 37 CFR §1.499, grouping the claims as follows:

- Group I:** Claims 1 – 7, drawn to a method for the brightening of synthetic fiber or plastic.
- Group II:** Claims 8 – 11, drawn to a brightened fiber or plastic.

For prosecution in this Application, Applicants elect Group I, namely Claims 1 - 7, drawn to a method for the brightening of synthetic fiber or plastic, without traverse or prejudice, and reserve the right to resubmit a divisional application on the non-elected Group.

Furthermore, the Office states that the Application contains claims directed to more than one species of a generic invention. The Office is of the position that the species lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The Office has defined the species as follows:

- Species 1:** wherein the brightened material is a fiber.
- Species 2:** wherein the brightened material is a plastic.

The Office has required Applicants to elect a single species, with identification of the claims readable on the elected species.

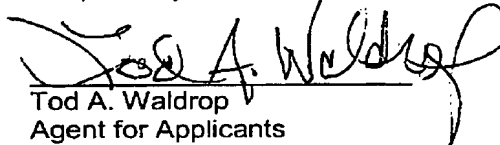
For examination of this Application, Applicants elect Species 1 wherein the brightened material is a fiber, without traverse or prejudice and reserve the right to resubmit a divisional application on the non-elected species. The claims readable on this species are Claims 1-7.

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It is respectfully submitted that, in view of the above remarks, the restriction requirement is now satisfied and the examination of this Application on the merits can now proceed. If the Examiner has any remaining questions, he may contact Applicants' representative. Accordingly, favorable reconsideration and an allowance of all pending claims are courteously solicited.

An early and favorable action is courteously solicited.

Respectfully submitted,


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Agent for Applicants
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